



Department of Justice

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DISTRICT OF COLUMBIA SEAFOOD COMPANY, OWNER AND EMPLOYEE PLEAD GUILTY TO FEDERAL TRAFFICKING CHARGES

*First Guilty Pleas in Largest Ever Investigation into Illegal Commercial Fishing
in the Chesapeake Bay and Potomac River*

WASHINGTON—A fish wholesaler, its owner and an employee have all pleaded guilty in U.S. District Court for the District of Columbia for the illegal purchase and sale of striped bass from the Chesapeake Bay and Potomac River from 2003 through 2007, the Justice Department announced today.

Cannon Seafood Inc., its owner and president Robert Moore Sr. of Falls Church, Va., and Robert Moore Jr. of Ashburn, Va., each pleaded guilty to one felony violation of the Lacey Act. The Act prohibits individuals or corporations from creating false records for fish, and from transporting, selling, or buying fish harvested illegally.

Under the terms of the plea agreement, Cannon Seafood has agreed to pay a fine of \$80,000 and pay \$28,000 in restitution to the congressionally established National Fish and Wildlife Foundation (NFWF). Moore Sr. has agreed to pay a \$40,000 fine and pay \$15,000 in restitution to the NFWF and Moore Jr. has agreed to pay a \$30,000 fine and pay \$10,000 in restitution to the same foundation. The court set a sentencing date of May 8, 2009, at 9:30 A.M.

According to the plea agreement, from April 2003 until June 30, 2007, Moore Sr., Cannon's majority owner and president and Moore Jr. bought striped bass from Thomas Hallock, a commercial fisherman from Maryland, and Jerry Decatur Sr. and Jerry Decatur Jr., two Virginia fisherman. The Moores knew that striped bass was regulated with various closed seasons and size limits and that Virginia and Maryland required all commercially harvested striped bass to have plastic tags affixed when they were caught.

According to the plea agreement, during this time period, Hallock harvested more striped bass than allowed under his Maryland limit, and did not report the striped bass that he was selling to Cannon. He also caught striped bass during the spawning season when commercial harvest was prohibited, and sold this fish to Cannon. In turn, Moore, Jr. and other Cannon employees, on behalf of Cannon, generated and provided Hallock false receipts for the Maryland-caught striped bass that had been transported from Maryland into the District of Columbia.

Moore Sr. knew that Moore, Jr. and other Cannon employees were generating and providing these false Cannon sales receipts. These receipts falsely reflected that Cannon had purchased another species of fish from Hallock, and also altered the weight and price of the fish in order to conceal the striped bass purchase. During this time period, Cannon generated 168 false receipts for over 62,000 pounds of Maryland striped bass, and paid Hallock over \$139,000 for this fish.

Further, Moore Sr. and other Cannon employees, on behalf of Cannon, arranged for and purchased striped bass from the Decatur that had been transported from Virginia into the District of Columbia, and which did not have plastic tags affixed to the fish as required by Virginia law. Moore Jr., regularly saw striped bass that had been purchased from the Decatur without affixed tags and, knew that Cannon was buying these striped bass illegally. The majority of untagged fish that Cannon bought from the Decatur was caught and bought during the spring striped bass spawning seasons when fishing was prohibited because of its importance to the long term propagation of the species. During this time period, Cannon purchased over 30,000 pounds of untagged striped bass from the Decatur, and paid over \$87,000 for the fish.

“Fishing limits in the Chesapeake Bay and Potomac River are designed to protect the healthy sustainable population of striped bass and ensure a viable fishery up and down the eastern seaboard. Seafood wholesalers, like Cannon Seafood, who knowingly help fishermen conceal their illegal activities, and who purchase and resell illegally harvested rockfish are undercutting honest fishermen and risking the continuation of the species,” said John C. Cruden, Acting Assistant Attorney General for the Justice Department’s Environment and Natural Resources Division.

“This concerted federal and state investigation sheds light on a pattern of abuse that completely undermines the states’ ability to manage and set quotas for striped bass,” said Acting Special Agent in Charge Sal Amato of the U.S. Fish and Wildlife Service’s Northeast Region. “Violations of fishing laws rob future generations of this important Chesapeake Bay resource.”

“The Maryland Department of Natural Resources applauds and was happy to support these enforcement actions to preserve and protect our striped bass resource,” said DNR Secretary John R. Griffin. “Through the enforcement efforts of the Maryland Natural Resources Police and through innovative partnerships with the U.S. Fish and Wildlife Service and our sister states, we are working to ensure that our waterways are used in a lawful manner which provides for enjoyment of these public trust resources for current and future generations.”

“This is a great example of a cooperative law enforcement initiative to protect our natural resources,” said Commissioner Steven G. Bowman of the Virginia Marine Resources Commission, which includes the Virginia Marine Police. “Trafficking in illegal rockfish is not a harmless offense, and the Virginia Marine Police take this quite seriously.”

In related cases, five commercial fishermen have been charged with Lacey Act violations for allegedly transporting and selling striped bass, knowing that they had falsely recorded the numbers and weight on their permit-allocation cards and failed to accurately record the times when the fish were actually harvested. Two additional St. Mary's County commercial fishermen, Joseph Peter Nelson and Joseph Peter Nelson Jr., have been indicted in the District of Maryland for conspiracy to violate the Lacey Act, and six substantive felony Lacey Act counts. The indictment also seeks forfeiture of vessels and vehicles allegedly used by the Nelsons in carrying out the offenses.

Today's guilty pleas are the result of the investigation by an interstate task force formed by the U.S. Fish and Wildlife Service, the Maryland Natural Resources Police and the Virginia Marine Police, Special Investigative Unit in 2003. The task force conducted undercover purchases and sales of striped bass in 2003, engaged in covert observation of commercial fishing operations in the Chesapeake Bay and Potomac River area, and conducted detailed analysis of area striped bass catch reporting and commercial business sales records from 2003 through 2007. The investigation is continuing, and charges against others are possible.

These cases are being prosecuted by Senior Trial Attorney Wayne Hettenbach of the Justice Department's Environmental Crimes Section, and Assistant U.S. Attorney Stacy Belf of the U.S. Attorney's Office for the District of Maryland with assistance from the U.S. Attorneys' Office for the District of Columbia.

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